

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (FM) ECF Case
---	------------------------------------

This document relates to:

Bauer et al. v. al Qaeda Islamic Army, et al., 02-cv-7236 (GBD)(FM)

DOROTHEA M. CAPONE, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing the *Bauer* Plaintiffs in the above-captioned litigation and submit this Declaration in support of the motion for final judgment on behalf of the individual Plaintiffs identified in Exhibit A attached hereto. In addition to seeking final judgments on behalf of these Plaintiffs, I also request that the Court grant my firm permission to move for the same relief for other Plaintiffs it represents at a later date.

2. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of the *Bauer* Plaintiffs listed in Exhibit A in connection with the September 11th litigation against the airline and security company defendants, other court records relating to the multi-district litigation to which the *Bauer* Plaintiffs are parties, and conversations with family members of the *Bauer* Plaintiffs. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

3. All of the decedents listed in Exhibit A died in the September 11, 2001 terror attacks and are survived by the immediate family members whose relationships to the decedents are described in Exhibit A.

4. None of the family members listed in Exhibit A sought compensation through the September 11th Victim Compensation Fund ("VCF"), and instead litigated against the airline and security company defendants. No VCF award was issued to any survivor of the decedents listed in Exhibit A.

5. To assist in litigation, my firm retained the services of economic experts from Sobel Tinari Economics Group to calculate the economic losses suffered by the families of each of decedents listed in Exhibit A.

6. To update the economic loss figures for the purposes of this motion, I contacted the same experts used to update the economic losses to present value, specifically Kristin Kucsma, Managing Director and Senior Economist, and Economist Kenneth T. Betz.

7. Ms. Kucsma earned her undergraduate degree in Economics from Seton Hall University, graduating *summa cum laude*, a Masters Degree in Economics from Rutgers University, and she completed all but her dissertation towards a Ph.D., also at Rutgers University. She has served as an Adjunct Lecturer and as Instructor in the field of Economics at Seton Hall University, Drew University, St. Peter's College, and Rutgers University, and has also authored numerous articles. Ms. Kucsma is nationally recognized for her work, and is a frequent lecturer in economic issues around the country.

Mr. Betz received his B.S. in Economics, an MBA in Finance, and a Masters in Financial Economics from Fairleigh Dickinson University. Since 2011, he has been an Economist at Sobel Tinari Economics Group, following a career teaching economics and finance at the Silberman College of Business at Fairleigh Dickinson University. Specifics pertaining to the qualifications of Ms. Kucsma and Mr. Betz are attached as part of Exhibit B to this Declaration.

8. The experts at Sobel Tinari Economics Group updated the present value of the previously calculated estimated economic losses. A copy of their reports are attached as Exhibit B to this motion.

9. The economic loss figures included in the table attached as Exhibit A represent the present value (based on the calculations attached in Exhibit B) of the economic losses previously calculated by Sobel Tinari Economics Group in connection with the litigation arising out of the wrongful death of each decedent listed in Exhibit A.

10. We are in the process of obtaining updated economic loss information for the remaining Plaintiffs represented by my firm and will submit future motions for summary judgment as that information becomes available.

Dated: August 29, 2016
New York, NY



Dorothea M. Capone